



Rochester Hills

Minutes - Draft

City Council Regular Meeting

1000 Rochester Hills Dr
Rochester Hills, MI 48309
(248) 656-4600
Home Page:
www.rochesterhills.org

*Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, James Kubicina,
Stephanie Morita, Mark A. Tisdel, and David Walker*

Vision Statement: *The Community of Choice for Families and Business*

Mission Statement: *"Our mission is to sustain the City of Rochester Hills as the premier community of choice to live, work and raise a family by enhancing our vibrant residential character complemented by an attractive business community."*

Monday, August 12, 2019

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Tisdel called the Regular Rochester Hills City Council Meeting to order at 7:05 p.m. Michigan Time.

ROLL CALL

Present 7 - Susan M. Bowyer, Ryan Deel, Dale Hetrick, James Kubicina, Stephanie Morita, Mark A. Tisdel and David Walker

Others Present:

*Bryan Barnett, Mayor
Tina Barton, City Clerk
Sean Canto, Fire Chief/Emergency Services Director
Lisa Cummins, Procurement Manager
Paul Davis, Deputy Public Services Director/City Engineer
Pamela Gordon, Human Resources Director
Tim Hollis, Deputy Building Director
Captain Johnson, Oakland County Sheriff's Office
Kristen Kapelanski, Planning Manager
Allan Schneck, Public Services Director
John Staran, City Attorney
Danielle Szajna, Youth Council Liaison
Tom Talbert, Strategic Innovations Specialist
Laurie Taylor, Assessing Director*

PLEDGE OF ALLEGIANCE

Dr. Bowyer called for a moment of silence for the victims of the Dayton, Ohio and El Paso, Texas mass shootings. She called the shootings senseless acts of violence against the diversity which define our way of life in America and said it is time for everyone to stand together in love and kindness and stop the hatred and violence that is pervading our culture.

APPROVAL OF AGENDA

A motion was made by Morita, seconded by Hetrick, that the Agenda be Approved as Amended to add Legislative File 2019-0375 2020 OPC Proposed Budget and the 2021-2022 Projected Budgets; and 2019-0376 2020 RARA Proposed Budget. The motioned carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, Morita, Tisdell and Walker

COUNCIL AND YOUTH COMMITTEE REPORTS

Green Space Advisory Committee:

Dr. Bowyer reported on the Green Space Second Saturday Hike at the Innovation Hills Green Space, noting the age range in attendance was ages 3 to 80. She thanked Heidi, Terry, and Phil, the guides for the hike. The next Second Saturday Hike will be on September 14 at the Harding Green space, and those interested in attending may register at www.rochesterhills.org/greenspace.

Paint Creek Trailways Commission:

Dr. Bowyer reported the Trail is still closed between Dutton and Silverbell Roads for bridge construction. She noted there is no detour. For updates on the bridge replacement and trail resurfacing project visit www.paintcreektrail.org <<http://www.paintcreektrail.org>>.

She congratulated Melissa Ford, Trailways Manager, on the birth of her baby girl.

Older Persons' Commission (OPC):

Mr. Kubicina announced the following upcoming OPC events:

- Top Chef, a competition among Senior Communities, with proceeds to benefit Meals on Wheels and Act of Kindness. The event will be held August 15, 5:00 - 7:00 p.m., is open to the public, and the \$15 ticket price includes appetizers, entrees and desserts, with beer and wine available for purchase.

- Sweet Speakers on Tuesday, August 20, 7:00 - 8:00 p.m. in the Dining Room. Mike Williams will be portraying Thomas Edison. The event is open to OPC members at a cost of \$5. Mr. Kubicina encouraged residents age 50 and older who aren't already members of the OPC to join.

- Savvy Seniors on Wednesday, August 21, 10:00 - 11:00 a.m., with the topic, Mood Boosting Foods: What You Eat Can Affect How You Feel. The speaker is Kelly Michiya, MS, of Human Nutrition & Integrative Health. This is a free program open to the public and includes breakfast.

PRESENTATIONS

2019-0371 Presentation on Avondale Youth Assistance (AYA) Annual Year in Review; Michael Kazak, Chairperson, presenter

Attachments: [081219 Agenda Summary.pdf](#)
[Presentation.pdf](#)
[Budget vs Actuals.pdf](#)
[Annual Year In Review.pdf](#)

Michael Kazak, Avondale Youth Assistance Chairperson, recognized and thanked Vice President Morita for her service to the organization as the City Council representative and offered further gratitude because she has committed to continue to serve when her term on the Council ends.

Mr. Kazak provided the following overview:

- Avondale Youth Assistance (AYA) is a non-profit community service organization committed to strengthening youth and families and reducing the incidence of juvenile delinquency, child neglect and abuse through community involvement.
- AYA operates with the sponsorship of the following government organizations: Oakland County Circuit Court-Family Division, the Avondale School District, the cities of Auburn Hills, Rochester Hills, Troy and the Township of Bloomfield. The principal funding is supplied through the Oakland County Board of Commissioners and the major funding from the other sponsors. This continuing financial support enables AYA to provide programs and services to the community.
- A board of community volunteers supports this mission by providing programs for Avondale students that include Youth Recognition, honoring student volunteerism and personal achievement; Mentors Plus, matching youngsters with a caring adult; after school and summer academic support programs and parent support programs. Camp and skill building scholarships are awarded to students experiencing financial difficulties. Drug test kits are available to parents free of charge.

Mr. Kazak provided an update on the fiscal year ending June 30, 2019:

- Ninety-two students, ages 5-16 were referred for services, a 58 percent increase from the previous year.
- Student programs promoting life skills, emotion regulation, violence-free relationships, and positive alternatives to risky behaviors were attended by 1,376 students.
- Financial assistance for school field trips, summer camp, and sports, cheer or band camps was provided to 22 children.
- Family education programs providing information on parenting skills and coping with issues facing youth were attended by 163 adults, including Avondale staff.
- After-school academic support was provided to 25 students.
- Backpacks filled with school supplies were given to 31 children.
- Skill building activities such as area camps were attended by 19 children, and a Halloween pumpkin painting craft program was attended by 150 families.

- The Shop with a Hero program serviced nine children, and 160 students received Youth Recognition Awards for their community service and for overcoming personal challenges.

Mr. Kazak noted AYA operated in the past year with 850 volunteer hours from adults and students, the financial sponsors listed at the beginning of the presentation, in-kind donations from the Avondale School District and the City of Auburn Hills, and community donations from BD's Mongolian Barbeque, Classic Lanes, and Meijer. He thanked the City of Rochester Hills for their continued support.

Vice President Morita appealed for volunteers and encouraged those interested to contact her or Mr. Kazak.

Presented.

2019-0362 Swearing-In Ceremony for John Lyman, Fire and Life Safety Educator

Attachments: [081219 Agenda Summary.pdf](#)

City Clerk Barton administered the Oath of Office to John Lyman as the Fire and Life Safety Educator for the Rochester Hills Fire Department.

Presented.

2019-0360 2018/2019 Rochester Hills Government Youth Council Final Report

Attachments: [081219 Agenda Summary.pdf](#)

Mr. Deel introduced Rochester Hills Government Youth Council (RHGYC) members Zoe Pizzuti and Sailor Mayes.

Zoe Pizzuti, Chairperson of the RHGYC and incoming senior at Rochester Adams High School, introduced herself and stated that this will be her fourth year on the RHGYC.

Sailor Mayes, Vice Chairperson of the RHGYC, introduced herself and noted that she will be attending Wayne State University in the fall.

Ms. Pizzuti and Ms. Mayes reported on the following:

- In September the RHGYC volunteered at the Brooksie Way 5K and 10K Walk and Run, passing out water to participants and assisting with cleanup.

- In November the RHGYC facilitated activities for children including games, face painting, and temporary tattoos, and assisted with cleanup at Rochester Hills Family Fun Night at Van Hoosen Farms.

- In November members also assisted with check-in activities at the Community Foundation Tailgate event.

- The RHGYC organized a winter blanket drive for HOPE Center in Pontiac

during November and December.

- In December, members participated in the annual Barnes and Noble gift-wrapping fund raiser, handed out glow sticks and hot chocolate at the Downtown Rochester Christmas Parade, and handed out glow sticks at the Fire and Ice Festival.

- In January the RHGYC assisted with set-up and serving at the Rochester Area Youth Assistance Spaghetti Dinner and Pancake Breakfast events.

- The RHGYC originated the first Cultural Togetherness Event for city employees and their families in February. A trip around the world was presented through food, music, and dance.

- In April the RHGYC celebrated the State of the City Address by dressing up in costumes representing a throwback to the Eighties and assisting with set-up and greeting attendees.

- In June the group created a Youth Council recruitment video which was shown at Rochester Hills high schools and middle schools and proved to be to be an effective new outreach tool.

- The final volunteer event of the year was the Festival of the Hills where RHGYC members worked with the petting zoo and bounce houses.

- In July, 26 applications were received for 2019/2020 RHGYC positions, resulting in the selection of five new members who will be sworn in tonight.

Ms. Pizzuti and Ms. Mayes thanked the Rochester Hills DPS, Fire, and Parks and Natural Resources Departments and the Oakland County Sheriff's Office for hosting RHGYC meetings and enriching the members' knowledge of their responsibilities. They also thanked City Council, Mayor Barnett, City Clerk Barton, Deputy Clerk Scott, Council Member Deel, and Youth Council Liaison, Danielle Szajna, for their support and efforts to make the RHGYC the best it can be.

Ms. Pizzuti introduced Danielle Szajna and Hannah Bennett to report on their experiences at the 2019 United States Conference of Mayors National Youth Summit in Los Angeles, California.

Danielle Szajna, Youth Council Liaison, and **Hannah Bennett**, member of the RHGYC, reported on the two-day Summit and noted that they collaborated with other youth council organizations on best practices, and attended panels and break-out sessions on topics including Building Effective Youth Councils, Creating a Culture of Service, Organizing Youth Town Halls, and Fostering Youth Voter Engagement.

Ms. Szajna and Ms. Bennett highlighted their opportunities to promote the City of Rochester Hills, especially during a break-out session led by Mayor Barnett which focused on building effective youth councils. They shared impactful discussion points:

- The average youth council has 10-80 members.
- Some youth councils have similar recruitment and selection processes as Rochester Hills, while others do not. They were able to share the process used in Rochester Hills.
- The average youth council budget ranges from \$1,500 to \$5,000.
- They shared the ways in which the RHYGC reaches out to potential event donors and sponsors and discussed challenges youth face when building youth councils and how to combat the obstacles.

Ms. Bennett stated the RHYGC will focus in the coming year on projects, collaboration with other youth councils, and discovering causes the members are passionate about that will address issues in the community.

Ms. Szajna and Ms. Bennett thanked the City and the City Council for positively supporting the youth in the community through the RHGYC.

Presented.

2019-0361 2019/2020 Rochester Hills Government Youth Council Swearing In Ceremony

Attachments: [081219 Agenda Summary.pdf](#)

Mr. Deel outlined the extensive recruitment and interview process to fill the vacancies on the RHGYC and reported all 26 applicants were impressive. He presented a short video highlighting the accomplishments of the RHGYC during the past year.

Mayor Barnett expressed his pride in the RHGYC and commended their leadership, boldness and energy. He reported the RHGYC is one of most evolved and professional student-run organizations in the country, noting Ms. Szajna and Ms. Bennett captured the attention of and impacted youth councils from large cities such as Boston, Orlando, Tacoma, and Cleveland.

Dr. Bowyer said she has enjoyed working with the students and watching them learn and grow. She offered to write recommendations for any member who asks and welcomed the new members.

Mr. Hetrick commended the RHGYC members for their determination, pride, accomplishments and for their strong sense of duty to the City. He thanked them for the work they have done for the City of Rochester Hills.

President Tisdell noted that he was the former liaison for RHGYC and stated that he is proud to have been a part of it and recognized the support provided by the entire City Clerk's Department.

Mr. Deel recognized the graduating seniors:

- Mallory Boyd, Rochester Adams High School, will be attending the American University of Paris to study international and comparative politics.
- Sailor Mayes, Rochester High School, will be attending Wayne State University to study political science and public policy.

- Noah Peterson, Rochester High School, will be attending the James Madison College at Michigan State University (MSU), to study international relations.
- Sofia Tiberio, Rochester Adams High School, will be attending the pre-med program at MSU.
- Natalie Vaglia, Rochester Adams High School, will be attending MSU to study business.

Mr. Deel recognized returning members and introduced the new members.

City Clerk Barton administered the Oath of Office to the 2019/2020 Rochester Hills Youth Council members:

<u>Name</u>	<u>School</u>	<u>District</u>
Numair Haq	Adams High School	1
Yitian Zhang	International Academy	1
Zena Nasiri	Adams High School	1
Hannah Bennett	Rochester High School	2
Jessica Hrynkiw	Rochester High School	2
Aden Smith	Stoney Creek High School	2
Zoe Pizzuti	Adams High School	2
Jonathan Karr	Notre Dame Prep	2
Hayden Bearre	Rochester High School	2
Amanpreet Dosanjh	Rochester High School	3
Shreya Pillai	Rochester High School	3
Maya Iyer	Rochester High School	3
Ryan Barrett	Rochester High School	4
Dana Williams	Rochester High School	4
Pawel Vijayakumar	Rochester High School	4

President Tisdell noted they would be taking a 20 minute recess.

Presented.

(Recess 7:50 p.m. to 8:13 p.m.)

PUBLIC HEARINGS

2019-0355 Public Hearing for the Michelson Road Special Assessment District Paving Project

Attachments: [081219 Agenda Summary.pdf](#)

Paul Davis, Deputy Public Services Director/City Engineer, stated that tonight is the public hearing on necessity for the proposed Michelson Special Assessment District (SAD) Paving Project. He noted Council accepted the engineers report for this project at the July 29th 2019 Council Meeting and scheduled a public hearing for tonight to receive comments in favor or against.

President Tisdell Opened the Public Hearing at 8:14 p.m.

Ron Hankins, 969 Michelson, questioned if a traffic study was done for

Michelson and noted that the 18 people on the assessment who live on Michelson probably make up two percent of the traffic on the road. He commented that back when the subdivision went in they were originally told that all that traffic would not be on Michelson, however, Connor was opened instead of having them use Bendelow, so now anybody that is coming to or leaving the subdivision from the south drives down Michelson. He stated that it is not fair for 18 people to have to pay to pave a road for the 200 to 250 houses in the subdivision which he estimates is about 95% to 97% of the traffic on Michelson.

Mr. Davis in response to public comment, he noted that a traffic study was not done. He stated that traffic studies are not required to be done per our SAD policy. He mentioned that there was a traffic study done for a different reason in this area a couple of years ago more generated from the Goddard School development and some of the Country Club Village residents requesting a study, but the City's policy does not require that one is to be done. In regard to why only the people that live on Michelson are paying for it, he noted that is partly true. He mentioned that the City does not have a policy that determines an indirect cost share for other people that might be using the roadway, but the City also pays a share on this. He commented that this cost is not borne just by the residents on Michelson, the City has a pretty significant cost share attributed to this and that would supplement what the residents are paying and capped at paying.

President Tisdell pointed out that it is a Special Assessment District and shared that the district has to be defined in some way. He mentioned that the homeowners along the thoroughfare being improved is the way in which we are defining that district for this assessment.

Mr. Davis added that people that live on gravel roads did not pay a cost to have the roadway paved when they purchased their home. He mentioned that other adjacent subdivisions like the Country Club Village subdivision where the cost to pave those roads were wrapped into the home sale prices when the residents purchased their homes so they did end up paying for other public roads that were paved.

Dr. Bowyer questioned what is the total cost of the project.

Mr. Davis responded that the total project cost includes several categories; the engineering preliminary design, the contractor payments cost and inspection costs during the project construction, and then geotechnical testing. He noted that the current estimate for all of those components for Michelson Road is approximately \$631,000.

Dr. Bowyer questioned what percentage the residents have to pay.

Mr. Davis responded that the residents would cover 60 percent of the cost and the City would cover 40 percent. He explained that is the intent but in reality projects are much more expensive now and with this being a small roadway project, it has significant costs that do not benefit from an economy of scale. He mentioned that the residents' share does reach the cap and they have determined a \$12,398.76 share to each buildable property. There are 18 lots on

Michelson for a total of approximately \$223,000 or about 35.4 percent of the total cost, so the City would pay the remaining 64.6 percent share.

President Tisdel asked Mr. Davis to go over the financing.

Mr. Davis stated that per the City's SAD policy, the residents have two ways in which they can pay their local share; one is they could pay it all upfront and the other is a repayment plan set up over 15 years. If they pay it all up front, then they would be paying the capped amount that has been adjusted for inflation of \$12,398.76. He stated that the project has an estimated service life of 15 years and the repayment plan cannot be any longer than what the useful life of the project is, thus the repayment plan is also 15 years. He mentioned that if a resident chooses to finance over that term, an interest rate of one percent above the prime rate is added onto that when it is determined for the project to move forward and be finalized.

President Tisdel reminded everyone along with Council that the 60/40 cost split was designed to recognize that the majority of the benefit goes to the residents, not the City. However, the City controls the process so a cap was put on it at that time of \$12,000 adjusted for inflation. The prior cap was \$5,000. He noted that when the Committee reviewed this, it was thought that two and quarter times was an adequate margin. He explained that the biggest part of the new SAD process was forcing these projects through the normal budget process; the capital improvement process, getting it into budget discussions, and voting on it so when they came due it would be known exactly where the money was coming from. He stated that many of these roads were not originally built to accommodate the amount of traffic that is on them. He commented that there is a benefit to a growing city to have them paved. He noted that there is a bit of equity issue as other residents have paid for the paved roads in front of their houses as well. He commented that we should not lose sight of the fact that one of the biggest advantages and biggest reasons behind the new process was to get this through our budgetary discussions so when they do arrive, it is not a surprise and is already in the budget for that year. He reiterated that it is a three-year process from start to finish, assuming everything goes well.

President Tisdel Closed the Public Hearing at 8:25 p.m.

Discussed.

2019-0356 Public Hearing for the Bolinger Street Special Assessment District Paving Project

Attachments: [081219 Agenda Summary.pdf](#)

Paul Davis, Deputy Public Services Director/City Engineer, stated that Bolinger is another street, consisting of a small stretch of gravel roadway, that has petitioned and requested that the City establish a SAD process. Similar to Michelson it is being brought forth tonight for the public hearing.

President Tisdel asked Mr. Davis to go through the finances.

Mr. Davis stated that based on the latest cost estimate, the total project cost for

Bolinger Street is estimated to be approximately \$434,000. The residents' share based on 13 lots for that project would be approximately \$161,000 or 37.1 percent of the total cost.

President Tisdell Opened the Public Hearing at 8:27 p.m.

John Deaton, 968 Bolinger, stated that this process started three (3) years ago because the road was not being maintained very well and the drainage was bad. He commented that his biggest concern about this project is the new cost of it. He stated the City was required to maintain this road and the drainage, which has not been done, so now they are having to pay to have the road paved. He stated that the petition was done not for paving it, but rather because of the drainage. He mentioned that many of the residents voted for it and some of that was because they did not want bad feelings in the neighborhood.

Michelle Postiff, 905 Bolinger, stated that she started the process of paving Bolinger about three years ago. She noted that although she would like it paved for more reasons than just drainage or lack thereof, it is a mud pit in the spring with potholes every time it rains, and dust in the summertime. She commented that the City has improved the maintenance of it since we started this process, but there is only so much they can do with gravel. She noted that the road gets wider every year and they get gravel in their yards every springtime from plowing. She mentioned that gravel gets shot out across the street from one house to another; her truck has been hit and her dogs have been hit when the neighbors across the street are cutting their grass. She noted that although concerns were raised about the possibility of increased speeding or traffic, there is already a lot of cut through traffic and speeders are going to speed regardless of paving.

Robert Hall, 992 Bolinger, stated that when he first heard about this project, he thought it was a great idea; however, he has concerns over the traffic it will bring into the neighborhood. He stated that GPS navigation will direct traffic to streets that are paved. He commented that with the way traffic builds up on Avon and Rochester Road, most people will be cutting through the neighborhood speeding. He added that in some areas along Bolinger it is difficult to navigate between the cars parked in the street. With more people coming through, it is going to create a very dangerous situation. He questioned why no traffic studies were done. He commented that although paving it will make it nice and clean as well as free of dust and potholes, it is going to bring bigger problems so he is against it.

Mr. Davis responded that traffic studies are not typically done on gravel roads because of the variable conditions of the roadway. He explained that when they are freshly graded they may accommodate higher speeds, but when they deteriorate and get washboarded lower speeds are determined. He stated that doing a traffic study to try and make a determination of speed is typically done on a paved road, not a gravel road. He stated that traffic volumes on this roadway are not expected to change much; however, it does connect into a larger subdivision area that is paved to the north. He added that it is unclear if a study could determine whether traffic would reroute down this section if it were paved.

President Tisdell stated that some people have voiced concerns and some have voiced support. He asked Mr. Davis to talk about the process to negate the project, if desired, from this point forward.

Mr. Davis stated that this process is resident initiated and driven. He noted that it is first initiated through a petition of signatures, after which the City starts going through the steps of an SAD process for paving their gravel roadway. There have been several meetings leading up to tonight. He added that Council could choose to terminate based on the public hearing tonight and the process would end. He pointed out that if that does not happen, the process continues to move forward; however, it is still within the residents' control to terminate the project. He mentioned that after tonight's meeting, a 28-day period opens up where Council will make a decision on public hearing necessity and to establish an SAD project. During the last two weeks or 14 days of this 28-day period, residents who have had a change of heart can gather petitions of objections to the project. He stated this is different from the formal petition that required 60 percent plus one for support. He explained that the City requires just over 50 percent majority to stop the project.

President Tisdell pointed out that this particular project results in a two-thirds / one-third split after the cap is applied.

Mr. Davis added that he has told the residents during numerous meetings that nothing is certain on this process until Council awards the construction contract, as there are many hurdles to cross. He stated that it will keep moving forward until it is either overturned by the residents through a petition drive or perhaps bids that are considered too high to award the construction contract.

President Tisdell stated that with such a small number of households there are fixed costs just to get equipment and crew out there, noting that there are not many places to divide that up.

Mr. Davis concurred, noting that there is not a lot of economies of scale on small streets like this. He stated that this project will be bundled, however, the intent of a 60 percent resident, 40 percent City split is unlikely with both Bolinger and Michelson.

President Tisdell stated that he has been out to Bolinger and met with some of the residents. He expressed his appreciation to the residents, noting they have been exceptional to work with.

Mr. Deel expressed his thanks to everyone who came here tonight, and for everyone who has voiced their opinions, both pros and cons. He stated that he understands the kind of issues that they are facing because he lived on Hadley for years which is a street right next door to Bolinger in the Heatherwood subdivision.

President Tisdell Closed the Public Hearing at 8:40 p.m.

Discussed.

PLANNING AND ECONOMIC DEVELOPMENT

2019-0289 Request for Conditional Use Approval to construct a drive-through associated with Genisys Credit Union, a 3,528 square foot new building proposed at the southeast corner of Rochester and Eddington Blvd., zoned R-4 One Family Residential with an FB-2 Flexible Business Overlay, Genisys Credit Union, Applicant

Attachments: [081219 Agenda Summary.pdf](#)
[Staff Report 71619.pdf](#)
[Review Comments PC.pdf](#)
[EIS.pdf](#)
[PEA Wetland Report.pdf](#)
[Site Plan Submittal for PC.pdf](#)
[Updated Sheet L-1.0.pdf](#)
[Colored Rendering.pdf](#)
[Minutes PC 71619.pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kapelanski, Planning Manager, presented the proposal for a 3,528 sq. ft. financial institution with drive-through at the southeast corner of Rochester Rd. and Eddington Blvd. on property zoned R-4 with FB-2 Overlay:

- Eddington Blvd. will be extended to the south.
- The Site Plan, Tree Removal Permit and Natural Features Setback Modification were granted by the Planning Commission on July 16, 2019.
- The Planning Commission also approved the conditional use needed for a drive-through.

Public Comment:

Dr. Lisa Winarski, 194 Bedlington, stated her understanding from previous meetings regarding the Eddington Blvd. realignment project, held by Mr. Davis and the Planning Commission with affected residents, was that there would not be any driveways off the new portion of Eddington Blvd. She asked the City to reconsider allowing a curb cut on Eddington for the credit union, citing safety concerns.

Ms. Kapelanski explained when Eddington Blvd. was realigned, the Michigan Department of Transportation (MDOT), as part of their approval of the traffic signal, would not allow additional curb cuts off of Rochester Rd. and said any curbs cuts for developing properties had to be on Eddington Blvd. as it was realigned and extended further south. She indicated there is a larger plan to continue Eddington Blvd. further south to connect into the Bordine's property, and stated it was referred to at the time as a spine road which is part of the flexible business overlay requirement. She further reported Engineering has not expressed safety concerns with the traffic patterns.

Mr. Deel expressed concern for safety with both banks using drives located on opposite sides of Eddington Blvd. close to each other for both ingress and egress of their customers.

Ms. Kapelanski confirmed customers of First State Bank will use the Eddington curb cut for both ingress and egress. She stated there is no concern with traffic patterns and noted the banks are low traffic generators.

Allen Schneck, DPS Director, pointed out there is a contiguous turn lane from Rochester Rd. to the termination of Eddington Blvd. He explained the intent, based on an access management study done by MDOT, is to increase safety by providing motorists with the ability to make turning decisions at lower speeds than is possible on Rochester Rd. where the speed limit is 50 mph.

Dr. Bowyer voiced concern about stormwater runoff from the project, noting there is an existing drainage problem toward the Eddington subdivision. She noted the existing drainage ditch is blocked by phragmites and said the drainage issues will continue until that is addressed.

Paul Davis, City Engineer/Deputy Public Services Director, stated the lots are designed in accordance with the standards for providing on-site detention of stormwater to temporarily hold the water and release it at a controlled rate. He said the developer is considered the owner of that area and suggested residents could take legal action against that property owner over drainage issues.

Mayor Barnett explained safety has always led this project and getting curb cuts off Rochester Rd. has been a major factor. He said the safety numbers are exceptional and the project and its implementation has functioned as hoped.

A motion was made by Hetrick, seconded by Bowyer, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, Morita, Tisdell and Walker

Enactment No: RES0236-2019

Resolved, that the Rochester Hills City Council hereby approves a Conditional Use to construct a drive-through associated with Genisys Credit Union, a proposed 3,528 square foot building proposed at the southeast corner of Rochester and Eddington Blvd., zoned R-4, One Family Residential with an FB-2 Flexible Business Overlay, Parcel No. 15-23-300-041, based on plans dated received by the Planning and Economic Development Department on July 9, 2019, Genisys Credit Union, Applicant, with the following findings:

Findings:

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The building has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposal will have a positive impact on the community as a whole and the surrounding area by further offering jobs and another financial institution.
4. The proposed development is served adequately by essential public facilities and

services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.

5. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.

6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

- 2019-0065** Request for Preliminary Planned Unit Development (PUD) and Conceptual Site Plan Approval - Rochester Hills Trio, a proposed mixed use development consisting of residential units, office and retail space on 5.77 acres located at the northeast corner of Auburn and Livernois Rds., zoned B-1 Local Business with an FB-2 Flexible Business Overlay and RM-1 Multiple Family Residential with an FB-1 Flexible Business Overlay, Designhaus Architecture, Applicant

Attachments: [111819 Agenda Summary.pdf](#)
[Review Comments PC.pdf](#)
[Updated Apology Letter.pdf](#)
[Response Letter 102219.pdf](#)
[PUD Qualification Letter.pdf](#)
[Letter Designhaus 100719.pdf](#)
[Site Plans Pt 1.pdf](#)
[Site Plans Pt 2.pdf](#)
[Renderings.pdf](#)
[081219 Agenda Summary.pdf](#)
[Staff Report 71619.pdf](#)
[Review Comments PC 71619.pdf](#)
[Supplemental Memo - Environmental Clean-up.pdf](#)
[EIS.pdf](#)
[Letter Designhaus 073119.pdf](#)
[Site Plans 061219.pdf](#)
[PowerPoint Presentation.pdf](#)
[A206 Garage D Elevation.pdf](#)
[A207 Garage E Elevation.pdf](#)
[A208 Garage F Elevation.pdf](#)
[Photometric Plan.pdf](#)
[Minutes PC 071619.pdf](#)
[Minutes PC 052119.pdf](#)
[Minutes PC 041619.pdf](#)
[Minutes PC 021919.pdf](#)
[081219 Resolution \(Draft\).pdf](#)
[Traffic Impact Study.pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kapelanski, Planning Manager, presented the proposal for the 5.96-acre property at the northeast corner of Livernois and Auburn:

- Zoned B-1 Local Business with FB-2 Overlay and RM-1 Multiple Family with FB-1 Overlay.
- Project proposed to consist of 125 residential units, 10,500 sq. ft of office space, and 10.50 sq. ft. of retail space.
- The Planning Commission recommended approval on July 16, 2019.
- A number of modifications from zoning have been requested through the use

of a PUD:

- Three-stories, plus two two-story buildings for office and retail
- Front yard arterial setback
- Parking setback
- Building design and façade transparency
- Front yard landscaping

Public benefits identified by the applicant include:

- Proposed pathway along Auburn Rd. to the eastern edge of the M-59 bridge. Pocket parks.

Findings noted in Sec. 138-7.102 of the Zoning Ordinance are considered part of the request.

Peter Stuhldreier and **Joe Latozas** were present on behalf of the Applicant, Designhaus Architecture.

Mr. Stuhldreier presented highlights of the proposed PUD:

- There is 29' of drop in grade from one side of the site to the other.
- There is an easement through the middle for Pine Ridge Apartments, and the Apartments are not opposed to the project.
- Including the section that goes offsite to the east toward the M-59 bridge, there will be 1,650 linear feet of sidewalk.
- New trees, in the amount of 183, will be added to the site.
- The existing four curb cuts for the existing gas station will be replaced with a total of three for the entire project.

Mr. Stuhldreier concluded his presentation by sharing various elevations of the proposed project.

In response to questions from **President Tisdell**, **Mr. Stuhldreier** indicated:

- In addition to the building on Livernois with 21,000 sq. ft. of commercial, the other two buildings will be live/work units with residents behind businesses which will not include retail.
- Residential rents will be approximately \$1.65/sq. ft., with rental units ranging in size from 650 sq. ft. to just under 1,200 sq. ft.
- The development will include amenities such as a workout room, a banquet room, common hallways, package delivery, garages and carports, greenspace and parks.
- Other mixed-use projects in Designhaus' portfolio include the currently under construction CityLife on Tienken, Arbor Lofts in Southfield, The Mill at Auburn and Squirrel, and Ferndale Lots on Nine Mile, all of which combine office, retail, and residential uses.

Ms. Kapelanski noted that a mixed-use PUD is a new concept for the subject area of the City, but is the type of development the City is seeking under Flex Business Overlay.

Dr. Bowyer commended the creative use of green space and pathways within the development.

Mr. Stuhleyer confirmed the tops of the buildings will be level despite them not being the same height due to the sloping grade of the site.

Dr. Bowyer also commended the configuration of having the business units in front of the residential units, rather than having residential unit above restaurants or similar businesses. She noted the price point of the Pine Ridge Apartments is lower than that of the residential units in the proposed development.

Mr. Hetrick questioned the total number of units and whether or not the PUD will stipulate that number.

Ms. Kapelanski confirmed that the final PUD will be consistent, within a unit or two, of the 125 proposed.

Vice President Morita referenced a letter dated June 20, 2019 from Mr. Stuhleyer and noted the Planning Committee found it objectionable because it contained many misstatements. She stated that the Planning Commission requested an apology from Mr. Stuhleyer. She reported the second letter received from Mr. Stuhleyer apologized for the tone of the original letter but not for the misstatements it contained. She suggested Mr. Stuhleyer consider addressing his misstatements in his original letter as she did not believe the Planning Commission would find his July 31, 2019 apology letter sufficient.

A motion was made by Hetrick, seconded by Bowyer, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, Morita, Tisdell and Walker

Enactment No: RES0313-2019

Resolved, that the Rochester Hills City Council hereby approves the Preliminary Planned Unit Development and Conceptual Site Plan Approval for Rochester Hills Trio, a proposed mixed use development consisting of residential units, office and retail space on 5.77 acres located at the northeast corner of Auburn and Livernois Rds., zoned B-1 Local Business with an FB-2 Flexible Business Overlay and RM-1 Multiple Family Residential with an FB-1 Flexible Business Overlay, Parcel No. 15-27-351-009 based on plans dated received by the Planning and Economic Development Dept. on June 21, 2019, Designhaus Architecture, Applicant, with the following findings and conditions:

Findings:

1. The proposed PUD Concept Plan meets the criteria for use of the PUD option.
2. The proposed PUD Concept Plan meets the submittal requirements for a PUD concept plan.
3. The proposed development should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
4. The proposed development is not expected to have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the

surrounding area.

5. The proposed development is consistent with the Master Land Use Plan to provide an alternate housing option and flexible uses.

6. The front yard arterial setback for Livernois, minimum façade transparency, building materials and parking setbacks are modified as part of the PUD to allow flexibility and higher quality development.

7. The minimum number of deciduous trees required along Auburn Road as part of front yard plantings in an FB District is modified from 16 required to 8 due to lack of planting space.

Conditions:

1. Approval shall only confer the right of the applicant to submit detailed site plans consistent with the layout and at a density not exceeding that shown on the PUD Concept plan.

2. The site plans, including but not limited to landscaping, engineering, tree removal and setback modification plans will meet all applicable City ordinances and requirements while remaining consistent with the PUD Concept layout plan.

3. The architectural quality of building plans submitted with the site plans and PUD Agreement in step 2 of the PUD process will be equal to or better than that approved with the PUD Concept plan.

4. Recommendation by the Planning Commission and approval by City Council of a PUD Agreement, as approved by the City Attorney, at Final PUD review.

5. Obtain a Tree Removal Permit at Final PUD Review.

6. Provide landscape and irrigation bond in the amount of \$107,009.00, plus inspection fees, as adjusted as necessary, prior to issuance of a Land Improvement Permit.

7. Address comments from applicable City Staff memos, prior to Final PUD submittal.

8. Developer shall provide in the PUD Agreement that the development will be constructed simultaneously (not phased) and a completion date.

2019-0324 Request for Preliminary Site Condominium Plan Approval - Christenbury Site Condos, a proposed two-unit site condo development on 2.4 acres, located south of Washington, west of Dequindre, zoned RE Residential Estate, Vito Terracciano, Applicant

Attachments: [082619 Agenda Summary.pdf](#)
[Staff Report 081519.pdf](#)
[Review Comments 081519.pdf](#)
[Staran Email 071819.pdf](#)
[Final Site Plans.pdf](#)
[Road Agreement.pdf](#)
[Minutes PC 073119.pdf](#)
[Minutes PC 082019.pdf](#)
[081219 Agenda Summary.pdf](#)
[Staff Report 073119.pdf](#)
[EIS 062019.pdf](#)
[Review Comments PC.pdf](#)
[Staran Email 080219.pdf](#)
[Fenn & Assoc Ltr.pdf](#)
[Exhibit B to Master Deed.pdf](#)
[Grading and Utility Plan.pdf](#)
[Public Hearing Notice.pdf](#)
[081219 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kapelanski, Planning Manager, presented the request for preliminary site condo approval for Christenbury Site Condominium:

- The proposal is for two units on 2.4 acres on the south side of Christenbury Ct. One unit is existing, and one is proposed.
- The site is zoned RE, Residential Estate.
- The proposal is generally in compliance with all ordinance provisions.
- The Planning Commission recommended approval and approved the Tree Removal Permit on July 31, 2019.
- The private road agreement allows for an additional unit on Christenbury Ct.

Ms. Kapelanski indicated staff was comfortable with the proposal. She noted Residential Estate zoning calls for one-acre lots which the proposed site meets and which fits the character of the neighborhood.

Public Comment:

John Russi, an attorney representing Dr. Evan Stashefsky who owns property at 1865 Christenbury Ct., registered opposition to the proposal on behalf of his client. He said the intent when the original parcel was split into four lots was that there would only be four houses. He said there is a common driveway over his client's property which services another lot, and the proposal does not indicate how the easement will be affected. He noted a portion of the proposed new lot contains a pond which will necessitate the house being built forward. He characterized the proposal as an afterthought by someone trying to jam in another house into an exclusive neighborhood for profit and requested the proposal be rejected.

Ms. Kapelanski responded that the easement for the new driveway would be beyond the private road, so the new unit would front on the private road and be party to the private road agreement. She indicated the existing pond to the rear of unit two will not be affected by construction.

Vito Terracciano, applicant, explained he bought and developed the property for himself and family. He noted he just sold the house he owned in the neighborhood and is building the new house to accommodate his current empty-nest lifestyle.

Dr. Bowyer asked for clarification on the location of the new house.

Mr. Terracciano explained it would be next to his former house, which he just sold, to the west, and stated both the existing house and the proposed new house would sit on lots over one acre in size.

A motion was made by Kubicina, seconded by Hetrick, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, Morita, Tisdell and Walker

Enactment No: RES0260-2019

Resolved, that the Rochester Hills City Council hereby approves the Preliminary Site Condominium Plan for Christenbury Site Condominiums, a proposed two-unit site condo development on 2.4 acres, located on Christenbury Ct., west of Dequindre, zoned RE Residential Estate, Parcel Nos. 15-01-278-005 and -007, based on plans dated received by the Planning and Economic Development Department on June 20, 2019, Vito Terracciano, Applicant, with the following findings and conditions:

Findings:

1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.
2. The proposed project will be accessed from Christenbury Ct., thereby promoting safety and convenience of vehicular traffic both within the site and on the adjoining street.
3. Adequate utilities are available to the site.
4. The preliminary plan represents a reasonable street and lot layout and orientation.
5. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
6. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.

Conditions:

1. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.
2. Provide a landscape performance bond for replacement trees in an amount to be determined, plus inspection fees, as adjusted as necessary by staff, prior to issuance of a Land Improvement Permit by Engineering.
3. Payment of \$216.75 into the City's Tree Fund for one street tree, prior to the issuance of a Land Improvement Permit by Engineering.

- 2019-0214** Request for Conditional Use Approval to add a drive-through to a new 8,154 square foot retail/restaurant outlot building at Hampton Plaza, located at the southeast corner of Rochester Rd. and Hamlin Rd., zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Kevin Biddison, Biddison Architecture + Design, Applicant

Attachments: [081219 Agenda Summary.pdf](#)
[Staff Report 071619.pdf](#)
[Review Comments PC.pdf](#)
[EIS.pdf](#)
[Site Plans.pdf](#)
[Minutes PC 071619.pdf](#)
[Minutes PC 052119.pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kapelanski, Planning Manager, presented the proposal to add a drive-through to a new 8,154 sq. ft. outlot building at the southeast corner of Hamlin and Rochester Roads:

- The lot is zoned B-3 with FB-3 Overlay.
- Conditional use approval is required for a drive-through.
- The Planning Commission approved the Site Plan and Conditional Use on July 16, 2019.

Ms. Kapelanski stated that the proposed building is virtually identical to the Campus Corners development located across the street from Rochester High School on Livernois, which was before the City Council recently.

Vice President Morita reported the developer revised the plans at the Planning Commission's suggestion to move the drive-through to the side of the building away from the apartments.

Mayor Barnett agreed the applicant, Mr. Frankel, has been cooperative with City staff and that he attended the last meeting on the proposal.

A motion was made by Morita, seconded by Hetrick, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, Morita, Tisdell and Walker

Enactment No: RES0239-2019

Resolved, that the Rochester Hills City Council hereby approves a Conditional Use to add a drive-through to a new 8,154 square foot retail/restaurant outlot building at Hampton Plaza, located at the southeast corner of Rochester Rd. and Hamlin Rd., zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-26-100-007, based on plans dated received by the Planning and Economic Development Department on June 21, 2019, Kevin Biddison, Biddison Architecture + Design, Applicant with the following findings:

Findings:

1. The proposed drive-through and other necessary site improvements meet or exceed the standards of the zoning ordinance.

2. The expanded use will promote the intent and purpose of the zoning ordinance and Master Plan.
3. The proposed drive-through has been designed and is proposed to be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
4. The proposal should have a positive impact on the community as a whole and the surrounding area by offering other dining experiences as well as supplying jobs.
5. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
6. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.

2019-0293 Request for Conditional Use Approval to construct a drive-through associated with Level One Bank, a 2,587 square foot bank proposed for a portion of the former Outback Steakhouse at the northwest corner of Rochester and Hamlin, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Level One Bank, Applicant

Attachments: [081219 Agenda Summary.pdf](#)
[Staff Report 071619.pdf](#)
[Review Comments PC.pdf](#)
[Updated EIS.pdf](#)
[Site Plans.pdf](#)
[Colored Renderings.pdf](#)
[Minutes PC 071619.pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kapelanski, Planning Manager, presented the proposal from Level One Bank to occupy a portion of the former Outback Steakhouse at the northwest corner of Hamlin and Rochester Roads on a site zoned B-3 with FB-3 Overlay:

- Conditional use approval is required for a drive-through.
- The Planning Commission approved the Site Plan and recommended conditional use approval on July 16, 2019.
- The Environmental Impact Statement has been updated as requested by the Planning Commission.
- The Planning Commission has requested additional signage, which will be confirmed by staff as part of final site plan approval.

A motion was made by Bowyer, seconded by Hetrick, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, Morita, Tisdell and Walker

Enactment No: RES0240-2019

Resolved, that the Rochester Hills City Council hereby approves a Conditional Use to construct a drive-through associated with Level One Bank, a proposed 2,587 square foot

bank proposed for 1880 S. Rochester Rd., located at the northwest corner of Rochester and Hamlin, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-22-451-031, based on plans dated received by the Planning and Economic Development Department on May 21, 2019, Level One Bank, LLC, Applicant with the following findings:

Findings:

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The building has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposal will have a positive impact on the community as a whole and the surrounding area by further offering jobs and another financial institution.
4. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.
5. The proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

2018-0173 Request for Final Site Condominium Plan Approval - Cumberland Village, a proposed 57-unit site condo development on approximately 23 acres, located on the east side of Livernois, south of Hamlin, zoned R-3 One Family Residential with a MR Mixed Residential Overlay; Various Parcels, Section 27, Lombardo Homes, Applicant

Attachments: [081219 Agenda Summary.pdf](#)
[Staff Report Final 071619.pdf](#)
[Review Comments PC.pdf](#)
[EIS.pdf](#)
[Cumberland Engineering Follow-up memo with map.pdf](#)
[Lombardo Ltr 062819.pdf](#)
[AEW Ltr 062719.pdf](#)
[ROW Plan.pdf](#)
[FSCP 073019.pdf](#)
[Floor Plans-Elevations.pdf](#)
[Minutes PC 052119.pdf](#)
[Minutes PC 071619.pdf](#)
[Minutes PC 060519.pdf](#)
[Resolution 051518.pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kapelanski, Planning Manager, presented the proposal for a 57-unit site condo development on the east side of Livernois, south of Hamlin Rd.:

- The site is 23 acres.
- The preliminary site condo was approved on June 4, 2018 after a positive

recommendation from the Planning Commission.

- The applicant has complied with the conditions attached to the preliminary approval: 1) Trees/shrubs were to be added along the eastern property line to provide screening for current residents; and 2) A center left turn lane was to be added on Livernois in front of the northern access point. However, that entrance has been changed to a gated emergency access which negates the need for a turn lane.

- The Planning Commission approved the Site Plan and recommended conditional use approval on July 16, 2019.

A motion was made by Hetrick, seconded by Kubicina, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, Morita, Tisdell and Walker

Enactment No: RES0241-2019

Resolved, that the Rochester Hills City Council hereby approves the Final Site Condominium Plan for Cumberland Village, a proposed 57-unit site condo development on approximately 23 acres, located on the east side of Livernois, south of Hamlin, zoned R-3, One Family Residential with an MR Mixed Residential Overlay; Section 27, based on plans dated received by the Planning and Economic Development Department on April 22 and June 28, 2019, Lombardo Homes, Applicant with the following findings and conditions:

Findings:

1. Upon compliance with the following conditions, the proposed condominium plan meets all applicable requirements of the zoning ordinance and one-family residential detached condominium.
2. Adequate utilities are available to properly serve the proposed development.
3. The final plan represents a reasonable and acceptable plan for developing the property.
4. The final plan is in conformance with the preliminary plan approved by City Council on June 4, 2018.

Conditions:

1. The northern access, as depicted in the provided sheet titled "Emergency Exit Details" shall be gated for emergency purposes only and styled as such that it does not look like a driveway with decorative stamped concrete that holds appropriate vehicle weight as approved by staff.
2. Engineering approval of all permits and agreements prior to issuance of a land improvement permit.
3. Inspection and approval of tree protection and silt fencing by the City prior to issuance of a land improvement permit.
4. Post a landscape and irrigation bond in the amount of \$72,234.00 plus inspection fees, as adjusted as necessary by the City, prior to issuance of a land improvement permit.
5. Payment of \$12,355.00 into the tree fund for street trees prior to issuance of a land improvement permit.

6. Compliance with all outstanding staff review comments, prior to final approval by staff.
7. The emergency access gate shall be built in conformity with the plans presented to the Planning Commission at the July 16, 2019 meeting.

PUBLIC COMMENT for Items not on the Agenda

Stacie Booth, 2964 Dearborn Ave., reported a contractor she contacted for work at her home told her Rochester Hills has the highest building fees in Michigan and that contractors do not like to work with Rochester Hills because the City is unfriendly to contractors. She expressed concern over the high fees and asked City Council to consider making fees more reasonable.

Lee Zendel, 1575 Dutton, was opposed to the City charging interest for street paving assessments at one percent over prime and suggested the rate be changed to one percent over the 15-year mortgage interest rate.

CONSENT AGENDA

- 2019-0347** Request for Acceptance of the Warranty Deed for public road right-of-way for Andlaur Drive granted by MJC Woodland Crossing LLC, a Michigan limited liability company, for Woodland Crossing

Attachments: [081219 Agenda Summary.pdf](#)
[Warranty Deed.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0243-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills hereby accepts a warranty deed granted by MJC Woodland Crossing, LLC, a Michigan limited liability company, whose address is 46600 Romeo Plank Rd., Ste 5, Macomb, MI 48044 for Parcel Nos. 15-25-352-017 & 018, for Woodland Crossing.

Further Resolved, that the City Clerk is directed to record the warranty deed with the Oakland County Register of Deeds.

- 2019-0348** Request for Acceptance of the Warranty Deed for public road right-of-way for Auburn Road granted by MJC Woodland Crossing LLC, a Michigan limited liability company, for Woodland Crossing

Attachments: [081219 Agenda Summary.pdf](#)
[Warranty Deed.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0244-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills hereby accepts a warranty deed granted by MJC Woodland Crossing LLLC, a Michigan limited liability company, whose address is 46600 Romeo Plank Rd., Ste 5, Macomb, MI

48044 for Parcel Nos. 15-25-352-017 & 018, for Woodland Crossing.

Further Resolved, that the City Clerk is directed to record the warranty deed with the Oakland County Register of Deeds.

- 2019-0349** Request for Acceptance of a Watermain Easement granted by MJC Woodland Crossing LLC, a Michigan limited liability company, for Woodland Crossing

Attachments: [081219 Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0245-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills hereby accepts a watermain easement granted by MJC Woodland Crossing LLC, a Michigan limited liability company, whose address is 46600 Romeo Plank Rd., Ste 5, Macomb, MI 48044 for the construction, operation, maintenance, repair and/or replacement of a watermain over, on, under, through and across land more particularly described as Parcel Nos. 15-25-352-017 & 018, for Woodland Crossing.

Further Resolved, that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

- 2019-0350** Request for Approval of a Storm Sewer System Maintenance Agreement between the City of Rochester Hills and MJC Woodland Crossing, LLC, a Michigan limited liability company for Woodland Crossing

Attachments: [081219 Agenda Summary.pdf](#)
[Storm Sewer Maint Agrmnt.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0246-2019

Resolved, that the Rochester Hills City Council hereby approves the Storm Sewer System Maintenance Agreement between the City of Rochester Hills and MJC Woodland Crossing LLC, a Michigan limited liability company for Woodland Crossing, Parcel Nos. 15-25-352-017 & 018.

Further Resolved, that the City Clerk is directed to record the agreement with the Oakland County Register of Deeds.

- 2019-0351** Request for Acceptance of a Watermain Easement granted by Crestview Homes, LLC, an Illinois limited liability company, for Belle Cone Gardens Lot Split

Attachments: [081219 Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0247-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a watermain easement granted by Crestview Homes, LLC, an Illinois limited liability company, whose address is 811 E. South Blvd., Rochester Hills, MI 48307, for the construction, operation, maintenance, repair, and/or replacement of a watermain over, on, under, through, and across land more particularly described as Parcel No. 15-33-179-015, for Belle Cone Gardens Lot Split.

Further Resolved, that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

- 2019-0352** Request for Acceptance of a Sanitary Sewer Easement granted by Crestview Homes, LLC, an Illinois limited liability company, for Belle Cone Gardens Lot Split

Attachments: [081219 Agenda Summary.pdf](#)
[Sanitary Sewer Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0248-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a sanitary sewer easement granted by Crestview Homes, LLC, an Illinois limited company, whose address is 811 E. South Blvd., Rochester Hills, MI 48307, for the construction, operation, maintenance, repair, and/or replacement of a sanitary sewer over, on, under, through, and across land more particularly described as Parcel No. 15-33-179-015, for Belle Cone Gardens Lot Split.

Further Resolved, that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

- 2019-0353** Request for Acceptance of a Watermain Easement granted by 633 South Boulevard, LLC, a Michigan limited liability company, for 633 E. South Boulevard Improvements

Attachments: [081219 Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0249-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills hereby accepts a watermain easement granted by 633 South Boulevard LLC, a Michigan limited liability company, whose address is 30000 Northwestern Hwy., Farmington Hills, Michigan 48334 for the construction, operation, maintenance, repair and/or replacement of a watermain over, on, under, through, and across land more particularly described as Parcel No. 15-35-477-002, for 633 E. South Boulevard Improvements.

Further Resolved, that the City Clerk is directed to record the ease with the Oakland County Register of Deeds.

- 2019-0354** Request for Approval of a Storm Water Detention System Agreement between the City of Rochester Hills and 633 South Boulevard, LLC, a Michigan limited liability company, for 633 E. South Boulevard Improvements

Attachments: [081219 Agenda Summary.pdf](#)
[Storm Water Detention Maint Agrmnt.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0250-2019

Resolved, that the Rochester Hills City Council hereby approves the Storm Water Detention System Agreement between the City of Rochester Hills and 633 South Boulevard LLC, a Michigan limited liability company, for 633 E. South Boulevard Improvements, Parcel No. 15-35-477-002.

Further Resolved, that the City Clerk is directed to record the agreement with the Oakland County Register of Deeds.

2019-0345 Request for Purchase Authorization - FLEET: Blanket Purchase Order for auto and truck parts in the amount not-to-exceed \$78,510.00 through July 31, 2022; Autowares Group of Companies, DBA: Maxi Automotive Supply, Shelby Twp,

Attachments: [081219 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0251-2019

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for auto and truck parts to Autowares Group of Companies, DBA: Maxi Automotive Supply, Shelby Township, Michigan and other auto parts vendors as required in the amount not-to-exceed \$78,510.00 through July 31, 2022.

Further resolved, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

Passed the Consent Agenda

A motion was made by Walker, seconded by Hetrick, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, Morita, Tisdell and Walker

The following Consent Agenda Item was discussed and adopted by separate Motion:

2019-0323 Request for acceptance of a Storm Water Drainage Easement between the City of Rochester Hills and Walter and Judith Popyk for 1210 School Road

Attachments: [081219 Agenda Summary.pdf](#)
[Storm Water Drain Easement Agrmnt .pdf](#)
[Resolution \(Draft\).pdf](#)

Walter Popyk, 1210 School Road, protested that he only received a three-day

notice that School Road was going to be paved. He contended no residents on School Road, Gravel Ridge, or Park asked that School Road be paved. He complained that City Council has recently approved four developments in the area without adequate roads. He reiterated that residents should have received advance notice of the paving along with the reasoning for it.

***Allan Schneck**, DPS Director, explained when the Harvard Place development was approved as a Planned Unit Development (PUD) the PUD agreement required the developer put money in escrow to have School Road paved. He described the process the City followed, as Harvard Place developed and became populated, to place the paving project into the Capital Improvement Plan (CIP), get budget approval, contract for design plans, bid the project, and request approval from the City Council to proceed. He indicated the reasoning for having School Road paved was because the development would increase traffic on John R and Dequindre Roads. Mr. Schneck noted that notice of the School Road paving project was sent out far in advance of three days by both the Department of Public Services (DPS) and the Mayor's Office.*

A motion was made by Hetrick, seconded by Walker, that this matter be Adopted by Resolution. The motion carried by the following vote:

Enactment No: RES0242-2019

Resolved, that the Rochester Hills City Council hereby approves the Storm Water System Maintenance Agreement between the City of Rochester Hills and Walter and Judith Popyk for 1210 School Road, for Parcel No. 15-24-302-012.

Further Resolved, that the City Clerk is directed to record the agreement with the Oakland County Register of Deeds.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

***Mr. Kubicina** commended Clerk Barton and her team on a successfully executed primary election and congratulated the four candidates who won the primary election and will be vying for two open City Council seats in November.*

***Dr. Bowyer** announced the City's tree planting program will provide a free tree, along with maintenance, along the road in front of residents' houses. Residents must order one of the 250 available trees by September 1 for fall planting.*

***Vice President Morita** appreciated Mayor Barnett making time to engage with three 15-year-old boys from Great Britain who were in town for a soccer tournament. The boys considered the meeting with the Mayor and tour of City Hall as a highlight of their trip. She encouraged residents to support local businesses that are being impacted by City construction projects, such as the Sunoco at Livernois and Walton. Lastly, she congratulated Nadja Cherup on her 100th birthday.*

***President Tisdell** presented information on the number of firearm-related deaths of youth ages 15-19. He noted the numbers have dropped since 1992 but are on the rise again. He noted that nine of the 13 most deadly mass shootings have occurred in last 12 years. He noted that recent surveys show approval of background checks for firearm purchases in the 90th percentile,*

and pointed out that many activities require background checks such as door-to-door solicitation in Rochester Hills and volunteering for charities such as Faith Works Michigan.

Mayor Barnett provided the following updates:

- Regarding concerns raised by Ms. Booth, he explained the City regularly monitors its fees against comparable communities and the City Council approves fees based on staff recommendation. He stated he comes from a building industry background and has set a standard of addressing folks from a partnership perspective. He did note that the City has a responsibility to make sure its structures are safe. He asked Ms. Booth to leave her contact information so she can receive a response.

- The City worked with Mr. Popyk on many issues he raised relating to the paving of School Road. He said that while Mr. Popyk may not have liked the end result, he hopefully found staff responsive.

- As President of the United State Conference of Mayors he had the opportunity to moderate a conference call with the White House and over 500 cities on the subject of Opportunity Zones.

- He spent time in Dayton, Ohio with Mayor Whaley, first responders, and others following the mass shooting there, and was in touch with Mayor Margo of El Paso. In Dayton, nine people were killed and 24 were injured in the space of 24 seconds. Responding to those mass shootings the Conference of Mayors sent a letter, which he authored, signed by over 250 mayors, addressed to Senators McConnell and Schumer urging them to consider requiring background checks for firearm purchases. He reported background checks have a high approval rating and he furthered the conversation during appearances on MSNBC and NPR. He noted the mass shooting in Dayton was the 250th this year.

- He announced the Grand Opening of the fitness court at Oakland University, noting it is free and open to the public.

- He reported on the City's participation in a Life Remodeled cleanup event in Detroit, noting Rochester Hills has been the largest city team for the past four years.

- He spoke about his experience at a presidential candidate event at the Iowa State Fair which he attended as a representative of the Conference of Mayors.

- He announced the Mayor's Business Council Event, RHISE (Rochester Hills Innovators & Senior Executives) on the topic of "Cool Workplaces: Cool Places, Benefits, Perks. The event is on Thursday, August 15th at 5:30 p.m. at Frank Rewold & Sons Headquarters, 303 E. Third St. Rochester

- He remembered L. Brooks Patterson who passed away on August 3, 2019, calling him a mentor and the most influential person in his political life. The funeral service will be held on Thursday, August 15th, at 1:30 p.m. at Woodside

Bible Church.

ATTORNEY'S REPORT

City Attorney Staran had nothing to report.

NOMINATIONS/APPOINTMENTS

2019-0294 Nomination/Appointment of one (1) Citizen Representative to the Trailways Commission, to fill the unexpired term of Lynn Loeb ending December 31, 2020

Attachments: [080219 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Bagley CQ.pdf](#)
[Braun CQ.pdf](#)
[Calderwood CQ.pdf](#)
[Granader CQ.pdf](#)
[Hauser CQ.pdf](#)
[Hulbert CQ.pdf](#)
[McCracken CQ.pdf](#)
[Muenk CQ.pdf](#)
[Nachtman CQ.pdf](#)
[Nowaczok CQ.pdf](#)
[Pinkham CQ.pdf](#)
[Rogers CQ.pdf](#)
[Strunk CQ.pdf](#)
[Tischer CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[071519 Agenda Summary.pdf](#)
[Loeb Resignation.pdf](#)
[071519 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

***Dr. Bowyer**, noting she sits on the Paint Creek Trailways Commission, nominated Clara Pinkham. She reported Ms. Pinkham has been a resident of Rochester Hills for 19 years, she commutes to her job via the Paint Creek Trail, and she is a member of the Friends of the Paint Creek Trail.*

A motion was made by Bowyer, seconded by Morita, that this matter be Adopted by Resolution to appoint Clara Pinkham to fill the unexpired term of Lynn Loeb ending December 31, 2020. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, Morita, Tisdell and Walker

Enactment No: RES0252-2019

Resolved, that the Rochester Hills City Council hereby appoints Clara Pinkham to the Trailways Commission, to fill the unexpired term of Lynn Loeb ending December 31, 2020.

NEW BUSINESS

2019-0329 Request for Purchase Authorization - DPS/FLEET: Purchase of one (1)

wheeled excavator in the amount of \$246,434.00; AIS Construction Equipment Corp., New Hudson, MI

Attachments: [081219 Agenda Summary.pdf](#)
[Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, DPS Director, stated a rigorous evaluation of the equipment was performed by the end-users. The proposed excavator is manufactured by John Deere, is similar to the existing excavator, and the end-users found it to have the best range of site visibility which contributes to work zone safety.

A motion was made by Hetrick, seconded by Walker, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, Morita, Tisdell and Walker

Enactment No: RES0253-2019

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of one (1) wheeled excavator to AIS Construction Equipment Corp., New Hudson, Michigan in the amount of \$246,434.00.

Further resolved, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

2019-0357

Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for the Auburn Road Corridor Plaza and Gateway Features (Phase III) Project in the amount of \$2,365,223.50 with a 5% project contingency in the amount of \$118,261.18 for a total not-to-exceed project amount of \$2,483,484.68; Angelo Iafrate Construction Company, Warren, MI

Attachments: [081219 Agenda Summary.pdf](#)
[Auburn Rd 2019 Cost Summary.pdf](#)
[Iafrate Proposal Ltr 080119.pdf](#)
[Resolution \(Draft\).pdf](#)

Mayor Barnett announced **Sara Roediger** is joining the meeting via phone. Ms. Roediger explained Phase III of this project proposes to add elements to create a unique sense of space.

Allan Schneck, DPS Director, and **Sara Roediger**, Planning and Economic Development Director, provided an overview of the Auburn Road Corridor project:

- It is a transformative project for a ½ mile stretch of Auburn Rd. in a neighborhood overdue for investment.
- The aim is infrastructure improvement to improve safety and aesthetics.
- Multi-departmental involvement has been necessary to make the vision a reality.
- Because of the interest in and success of the project, the scope has evolved to a proposed third phase:
 - Received two property donations to allow the development of the City's first public parking lot.
 - Purchased property on Emmons to build the City's second municipal

parking lot.

- Closed Emmons Ave. to create a neighborhood plaza featuring the City's 1st splash pad.
- Applied for and obtained multiple state and federal grants and funding to help fund these improvements.
- Started with a steering committee of residents and businesses, held multiple public open houses and stakeholder meetings.
- Phase III was presented at the January Joint City Council/Planning Commission meeting and direction was given to proceed with all elements of the project.

Ben Weaver, OHM, explained that the design concepts for Phase III are to have two separate but unified elements provide finishing touches on the overall project: 1) Emmons Ave. Plaza; and 2) artistic Gateway features which will establish a sense of place and a unique identity throughout the corridor as well as create an attractive, one-of-kind destination in the region and encourage future development without losing the proud history of neighborhood.

Mr. Weaver presented the proposed Gateway features and what they represent:

- Side-by-side sculptural threads in the median invoke the creeks and rivers which weave together the entire Rochester Hills community.
- Thread metal finishes pay homage to the valuable heritage of the neighborhood while also welcoming the revitalization of the corridor.
- Roundabout sculptures weave natural forms and contemporary materials to create emblematic representations of the neighborhood's history and future.
- The project design speaks to the interconnectivity that binds a neighborhood and its constituents.

Mr. Weaver explained the proposed Plaza set in the newly closed Emmons Ave. is set to become the preeminent gathering space within the community. Features will include:

- Splash pad
- Restroom and storage building
- Formal and casual seating
- Overhead string lights
- Underground fiber optic lighting
- Shade sail
- Landscaped edges
- Street tree alley
- Parking area

Joe Snyder, Chief Financial Officer, presented financial aspects of the project:

- The existing contracts are on schedule and on budget.
- Proposed contracts for Phase III can be accounted for by:
 - Additional funding obtained, including the most recently received \$40,000 Green Infrastructure SEMCOG grant.
 - DPS cost savings on other projects in the amount of \$2.4 million.
 - Third quarter budget amendments to transfer \$365,000 from the Capital

Improvement Fund to the Facilities Fund.

- Total City cost is less than budgeted by \$35,737.00.

Mr. Schneck enumerated the grants and other outside sources of funding which total \$2.3 million.

Lisa Cummins, Procurement Manager, covered the purchasing process:

- The City issued a Request for Proposal (RFP) but did not receive any responses.
- Administration worked with OHM and the existing contractor, Angelo lafrate, to negotiate a fair price to complete the project as envisioned.
- Proceeding with Angelo lafrate will require a waiver from the City's Purchasing Ordinance.
- The City recommends this approach because:
 - Angelo lafrate is already on-site performing work, which reduces costs for mobilization.
 - They have the capacity, skills, and knowledge to perform the work.
 - Competitive pricing for many of the needed work items has already been established through the MDOT bid letting process and was used as a basis for the cost framework.

Mayor Barnett offered closing comments about the budgeting process, explaining the Phase III elements are important to the residents and businesses in the area. He stated the entire City team involved is passionate about project, with Phase III being the soul of the project.

Dr. Bowyer stated her support for Phase III.

Mr. Hetrick asked for clarification on two points: 1) Could the budget surpluses from other projects supplant the proposed \$125,000 3Q budget amendment; and 2) Was the process for determining and negotiating a price from Angelo lafrate as close as possible to the competitive process.

Mr. Schneck explained: 1) The need for a 3Q budget amendment is based on how much surplus exists at the close of the year, and, per the City's fund balance policy, what other funds will receive some of that surplus; and 2) The process of negotiating with Angelo lafrate was fair, equitable, responsive, and open.

Mr. Deel commended City staff for extensively engaging the neighborhood residents in the project from the beginning, thereby giving them ownership and allowing them to put their personal stamp on their neighborhood. He stated his opinion that the special added touches Rochester Hills includes in its projects make Rochester Hills an exceptional place to live.

Vice President Morita expressed her appreciation for the hard work and effort that has gone into the project. She requested confirmation of her understanding that this work is not scheduled to be completed under the current proposal from lafrate until August 2020.

Mr. Schneck indicated substantial completion will occur in 2019 with final completion slated for 2020.

Vice President Morita asked for the costs of running the splash park.

Mr. Schneck first noted the park will work on a pass-through system in which clean water is pumped into the splash pad and discharged through the sanitary sewer system, a process which does not require MDEQ approval. He confirmed the City will pay water rates and estimated 4,000 units of water/season at \$10/unit, or \$40,000.00 per year. He indicated winterizing costs will be minimal.

Vice President Morita inquired as to the cost of the splash pad construction.

Mr. Schneck indicated the budget has an allowance of approximately \$250,000.00, which research shows is appropriate for the size and functionality of the proposed splash pad.

Vice President Morita inquired about the cost of the sculptural trees to be used in the medians and roundabouts.

Ms. Roediger responded that \$170,000.00 was the total cost for the parasol structures.

Vice President Morita stated she was opposed to spending money on trees made from rebar when the City's tree fund balance is currently \$1.2 million. She requested that the sculptural trees be replaced by real trees utilizing the City's tree fund and stated she will not support spending \$170,000.00 on the sculptures. She continued with the following comments:

- There are areas of the City which need investment, such as the understaffed Assessor's Office.
- When she votes in favor of a project with a contingency, she does not expect the contingency to be used as a blank check for other projects. If a contingency is not used it does not get spent. It does not get transferred to another project.
- She voted in favor of the Auburn Road Project with a budget of \$6 million, and is now faced with a project cost of \$12 million.
- While she loves what has been done with the project so far, she cannot support spending money for fake trees when the tree fund can amply supply real trees.

Ms. Roediger explained there is very extensive landscaping planned in the project, including street trees, but pointed out the overall intent is to create focal points in the medians and roundabouts. She said the parasol structures and other artistic elements embody the theme of innovative nature. She noted landscaping will also be installed to interweave with the structural elements.

President Tisdell reported he has heard at numerous conferences and meetings about placemaking the importance of artistic elements to help draw people on a year-round basis. He pointed out real trees are seasonal and not an

attraction in the winter.

A motion was made by Bowyer, seconded by Deel, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 6 - Bowyer, Deel, Hetrick, Kubicina, Tisdell and Walker

Nay 1 - Morita

Enactment No: RES0254-2019

Resolved, that the Rochester Hills City Council hereby waives Section 2-275(c), the formal competition requirement for purchases or contracts estimated to exceed \$25,000.00, under Section 2-281, which allows City Council the authority to waive any regulation or procedure pertaining to purchasing, deeming it to be in the best interest of the City.

Further Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for the Auburn Road Phase III Plaza and Gateway Features Project to Angelo Iafate Construction Company in the amount of \$2,365,223.50 with a 5% project contingency in the amount of \$118,261.18 for a total not-to-exceed project amount of \$2,483,484.68 and further authorizes the Mayor to execute a contract on behalf of the City.

Further resolved, that the City's acceptance of the proposal and approval of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

(Mr. Kubicina exited at 10:30 p.m. and re-entered at 10:33 p.m.)

2019-0358 Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for construction engineering services for the Auburn Road Plaza and Gateway Features (Phase III) project in the amount not-to-exceed \$240,000.00; OHM Advisors, Livonia, MI

Attachments: [081219 Agenda Summary.pdf](#)
[OHM Proposal.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, DPS Director, requested approval from City Council to enter into a contract with OHM for construction engineering services for the Phase III portion of the Auburn Road project.

A motion was made by Kubicina, seconded by Deel, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 6 - Bowyer, Deel, Hetrick, Kubicina, Tisdell and Walker

Nay 1 - Morita

Enactment No: RES0256-2019

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for construction engineering services for the Auburn Road Plaza and Gateway Features (Phase III) project to OHM Advisors, Livonia, Michigan in the amount not-to-exceed \$240,000.00 and further authorizes the Mayor to execute a contract on behalf of the City.

Further resolved, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

- 2019-0346** Mayor's 2020 Proposed Budget and the 2021-2022 Projected Budgets
- a. Presentation
 - b. Adoption of Resolution acknowledging receipt of the 2020 Proposed Budget and the 2021-2022 Projected Budgets and establishing a Budget Public Hearing for September 9, 2019

Attachments: [092319 Agenda Summary.pdf](#)
[090919 Agenda Summary.pdf](#)
[Public Hearing Notice.pdf](#)
[081919 Agenda Summary.pdf](#)
[081919 Budget Presentation Schedule.pdf](#)
[Suppl Budget Overview.pdf](#)
[2020-2022 CC Budget Questions City.pdf](#)
[081219 Agenda Summary.pdf](#)
[081219 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, presented the proposed FY 2020-2022 Budget for receipt by City Council at the first regularly scheduled meeting in August as required by City Charter. He explained budget development began with the City Council's Strategic Planning Technical Review Committee establishing goals and objectives for the year, and resulted in a comprehensive, proactive, and conservative three-year budget plan which will address long term goals, objectives, and the vision for the upcoming year and the future. He requested City Council establish a public hearing for the proposed FY 2020-2022 budget plan for September 9, 2019 to allow public comments on the three-year budget plan.

Mayor Barnett commended staff for the close to 100 hours of work put into the budget document. He said staff is ready to work through the process with the City Council to reach unanimous approval on the budget.

A motion was made by Bowyer, seconded by Deel, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, Morita, Tisdell and Walker

Enactment No: RES0289-2019

Whereas, the City of Rochester Hills City Council have worked to develop City goals for the Fiscal Year 2020; and

Whereas, based on those City goals, the 2020 Proposed Budget and the 2021-2022 Projected Budgets were developed; and

Whereas, at the August 12, 2019 City Council Meeting, the Mayor delivered the 2020 Proposed Budget and the 2021-2022 Projected Budget Plan for the Fiscal Year beginning January 1, 2020.

Whereas, at the August 12, 2019 City Council Meeting, the City Council set the Budget Public Hearing date for September 9, 2019.

Be It Resolved, that the Rochester Hills City Council acknowledges receipt of the 2020 Proposed Budget and the 2021-2022 Projected Budgets and hereby gives notice of Public Hearing to be held at 7:00 p.m. on Monday, September 9, 2019, at the Rochester Hills City Hall, 1000 Rochester Hills Drive, for the purpose of discussing the 2020 Budget and providing opportunity to all interested parties to present comments thereon prior to formal adoption by the Rochester Hills City Council.

Be It Further Resolved, that the publication of the Notice of Public Hearing is hereby authorized.

- 2019-0375** 2020 OPC Proposed Budget and the 2021-2022 Projected Budgets
- a. Presentation
 - b. Adoption of Resolution acknowledging receipt of the 2020 Proposed Budget and establishing a Budget Public Hearing for September 9, 2019

Attachments: [092319 Agenda Summary.pdf](#)
[090919 Agenda Summary.pdf](#)
[Public Hearing Notice.pdf](#)
[081919 Budget Presentation Schedule.pdf](#)
[Suppl OPC 2020-22 Budget Presentation.pdf](#)
[OPC 2020-2022 Proposed Budget Package.pdf](#)
[2020-2022 CC Budget Questions OPC.pdf](#)
[081219 Agenda Summary.pdf](#)
[081219 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, presented the OPC FY 2020-2022 budget for receipt by the City Council at the first regularly scheduled meeting in August as required by City Charter. He reported the OPC budget was approved by the OPC Board in July. Mr. Snyder requested the City Council establish a public hearing on OPC's FY 2020-2022 three-year budget plan to allow public comments on the budget plan.

A motion was made by Morita, seconded by Kubicina, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, Morita, Tisdell and Walker

Enactment No: RES0276-2019

Whereas, at the August 12, 2019 City Council Meeting the OPC 2020 Proposed Budget was delivered for the Fiscal Year beginning October 1, 2020.

Whereas, at the August 12, 2019 City Council Meeting the City Council set the Budget Public Hearing date for September 9, 2019.

Resolved, that the Rochester Hills City Council acknowledges receipt of the OPC 2020 Proposed Budget for the Fiscal Year beginning October 1, 2020 and hereby gives notice of Public Hearing to be held at 7:00 p.m. on Monday, September 9, 2019 at the Rochester Hills City Hall, 1000 Rochester Hills Drive, for the purpose of discussing the OPC 2020 Budget and providing opportunity to all interested parties to present comments thereon prior to formal adoption by the Rochester Hills City Council.

Be It Further Resolved, that the publication of the Notice of Public Hearing is hereby authorized.

- 2019-0376 2020 RARA Proposed Budget
a. Presentation
b. Adoption of Resolution acknowledging receipt of the 2020 RARA Proposed Budget and establishing a Budget Public Hearing for September 9, 2019

Attachments: [092319 Agenda Summary.pdf](#)
[090919 Agenda Summary.pdf](#)
[Public Hearing Notice.pdf](#)
[081919 Budget Presentation Schedule.pdf](#)
[RARA 2020-2022 Proposed Budget Package.pdf](#)
[Suppl RARA 2020-22 Budget Presentation.pdf](#)
[2020-2022 CC Budget Questions RARA.pdf](#)
[081219 Agenda Summary.pdf](#)
[081219 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, presented to the City Council for receipt the RARA FY2020-2022 proposed budget at the first regularly scheduled meeting in August as required by City Charter. He reported the budget was approved by the RARA Board in July. He requested City Council acknowledge receipt of the RARA FY 2020-2022 three-year budget plan and establish a public hearing for September 9, 2019 on RARA's FY 2020-2022 three-year budget plan to allow public comments on the budget plan.

A motion was made by Kubicina, seconded by Hetrick, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, Morita, Tisdell and Walker

Enactment No: RES0277-2019

Whereas, at the August 12, 2019 City Council Meeting the RARA 2020 Proposed Budget was delivered for the Fiscal Year beginning January 1, 2020.

Whereas, at the August 12, 2019 City Council Meeting, the City Council sets the Budget Public Hearing date for September 9, 2019.

Resolved, that the Rochester Hills City Council acknowledges receipt of the RARA 2020 Proposed Budget for the Fiscal Year beginning January 1, 2020 and hereby gives notice of Public Hearing to be held at 7:00 p.m. on Monday, September 9, 2019 at the Rochester Hills City Hall, 1000 Rochester Hills Drive, for the purpose of discussing the RARA 2020 Budget and providing opportunity to all interested parties to present comments thereon prior to formal adoption by the Rochester Hills City Council.

Be It Further Resolved, that the publication of the Notice of Public Hearing is hereby authorized.

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Regular Meeting - Monday, August 26, 2019 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Morita and seconded by Bowyer to adjourn the meeting at 11:21 p.m.

*RYAN DEEL, President
Rochester Hills City Council*

*TINA BARTON, MMC, Clerk
City of Rochester Hills*

*J. CHERILYNN MYNSBERGE
Administrative Coordinator - City Council
City Clerk's Office*

Approved as presented at the (insert date, or dates) Regular City Council Meeting.